

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

IN THE MATTER OF:)	
)	
PINNACLE INTERNATIONAL)	
PINNACLE MUSEUM TOWER)	
500 FRONT STREET)	COMPLAINT NO. R9-2004-0424
SAN DIEGO COUNTY, CALIFORNIA)	FOR
)	ADMINISTRATIVE CIVIL LIABILITY
WDID NO. 9 000001088)	WITH
)	MANDATORY MINIMUM PENALTIES
NONCOMPLIANCE WITH ORDER NO.)	
2000-90, NPDES NO. CAG919001, GENERAL)	November 15, 2004
WASTE DISCHARGE REQUIREMENTS FOR)	
TEMPORARY GROUNDWATER EXTRACTION)	
& SIMILAR WASTE DISCHARGES TO SAN)	
DIEGO BAY & STORM DRAINS OR OTHER)	
CONVEYANCE SYSTEMS TRIBUTARY)	
<u>THERE TO</u>)	

PINNACLE INTERNATIONAL IS HEREBY GIVEN NOTICE THAT:

1. Pinnacle International is alleged to have violated provisions of law for which the California Regional Water Quality Control Board, San Diego Region (Regional Board) may impose civil liability pursuant to the Porter-Cologne Water Quality Control Act, Water Code section 13385 et seq. The violation alleged herein is for violation of an effluent limitation in waste discharge requirements for discharges of pollutants from point sources to navigable waters for which the Regional Board must impose mandatory minimum penalties.
2. Pinnacle International discharges extracted groundwater from the Pinnacle Museum Tower site, which is subject to waste discharge requirements, including numeric effluent limits, contained in Order No. 2000-90, *NPDES No. CAG919001, General Waste Discharge Requirements For Temporary Groundwater Extraction and Similar Waste Discharges to San Diego Bay and Storm Drains or Other Conveyance Systems Tributary Thereto*. Pinnacle International enrolled for regulation under these requirements in April 1993 (WDID No. 9 000001088).

ALLEGATIONS

3. On February 28, 2004 the concentration of Zinc (a Group II pollutant) in Pinnacle International's discharge was 176 µg/l, which exceeded the applicable effluent limitation (90 µg/L) by 20% or more.
4. This effluent limitation violation is a "serious" violation under subdivision (h)(2) of Section 13385.

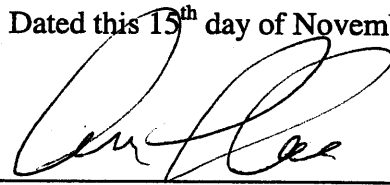
November 15, 2004

5. Under subdivision 13385(h)(1) of the California Water Code, the Regional Board must impose a mandatory minimum penalty of \$3,000 for the alleged violation of effluent limitations, for a total mandatory minimum penalty of \$3,000.

PROPOSED CIVIL LIABILITY

6. Pursuant to Section 13385(h) of the California Water Code, the Regional Board must impose mandatory minimum penalties of \$3,000 on Pinnacle International. No additional civil liability for the violations alleged in this Complaint is recommended.

Dated this 15th day of November 2004.



JOHN H. ROBERTUS
Executive Officer

